

EJK:KMT
F.#2012R00924

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

MARLON ERROL HARIRAM,

Defendant.

THE GRAND JURY CHARGES:

COUNT ONE

(Lacey Act Violation)

1. On or about May 20, 2012, within the Eastern District of New York and elsewhere, the defendant MARLON ERROL HARIRAM did knowingly and intentionally import, transport, receive, acquire and purchase in interstate and foreign commerce wildlife, to wit: nine finches, knowing that the wildlife was taken, possessed, transported and sold in violation of, and in a manner unlawful under, the law, treaties and regulations of Guyana, to wit: Laws of Guyana, Wild Birds Protection Act, Chap. 71:07 and the Species Protection Regulations of 1999.

(Title 16, United States Code, Sections 3372(a)(2)(A) and 3373(d)(1); Title 18, United States Code, Sections 3551 et seq.)

CR 12-0441

Cr. No. -
(T. 16, U.S.C.,
§§ 3372(a)(2)(A),
3373(d)(1) and 3374(a);
T. 18, U.S.C., §§ 545,
982(a)(2)(B), 1001(a)(2)
and 3551 et seq.;
U.S.C., § 853(p))

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

2012 JUL -6 PM 3:45

FILED
CLERK

IRIZARRY, J.

GO, M.J.

COUNT TWO

(Smuggling Goods into the United States)

2. On or about May 20, 2012, within the Eastern District of New York and elsewhere, the defendant MARLON ERROL HARIRAM did knowingly, intentionally and fraudulently import and bring into the United States merchandise, to wit: nine finches, contrary to law.

(Title 18, United States Code, Sections 545 and 3551 et seq.)

COUNT THREE

(False Statement)

3. On or about May 20, 2012, within the Eastern District of New York, the defendant MARLON ERROL HARIRAM did knowingly and willfully make a materially false, fictitious and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit: United States Immigration and Customs Enforcement, in that he checked "No" on Customs and Border Patrol Form 6059B/Customs Declaration in response to the statement "I am bringing meats, animals, animal/wildlife products," when, in fact, as HARIRAM then and there well knew and believed, he was bringing animals into the United States.

(Title 18, United States Code, Sections 1001(a)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION FOR COUNT ONE

4. The United States hereby gives notice to the defendant MARLON ERROL HARIRAM that upon his conviction for the offense charged in Count One, the government will seek forfeiture in accordance with Title 16, United States Code, Section 3374(a), which requires any person convicted of such offense to forfeit all wildlife imported, exported, transported, sold, received, acquired, or purchased in violation of such offense, including but not limited to any and all right, title and interest in nine finches seized from defendant on or about May 20, 2012.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with a third party;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value;
- or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 16, United States Code, Section 3374(a); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION FOR COUNT TWO

6. The United States hereby gives notice to the defendant MARLON ERROL HARIRAM that upon his conviction for the offense charged in Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 545 and 982(a)(2)(B), of merchandise introduced into the United States in violation of Section 545, or the value thereof, and/or any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense, including but not limited to any and all right, title and interest in nine finches seized from defendant on or about May 20, 2012.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with a third party;

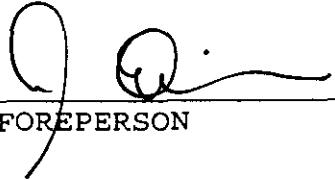
c. has been placed beyond the jurisdiction of the Court;


d. has been substantially diminished in value;
or

e. has been commingled with other property
which cannot be divided without difficulty;
it is the intent of the United States, pursuant to Title 21,
United States Code, Section 853(p), to seek forfeiture of any
other property of the defendant up to the value of the
forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 545 and
982(a)(2)(B); Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No.

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

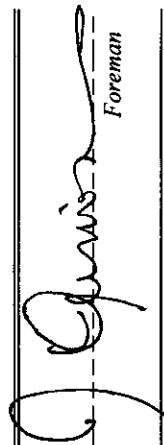
Marlon Errol Hariram,

Defendant.

INDICTMENT

(T. 16, U.S.C. §§ 3372(a)(2)(A), 3373(d)(1) and 3374(a);
T. 18, U.S.C. §§ 545, 982(a)(2)(B), 1001(a)(2), and 3551 et seq.; T. 21, U.S.C. § 853(p))

A true bill.


Foreman

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Kevin M. Trowel, Assistant U.S. Attorney (718-254-6351)